

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHRISTOPHER COTTLE	:	CIVIL ACTION
	:	
v.	:	NO. 23-743
	:	
LIEUTENANT RANDALL,	:	
SUPERINTENDENT J. TERRA,	:	
CAPTAIN K. YOUNG, C.O.	:	
GOURDINE, C.O. PARKER, C.O.	:	
CARTER, C.O. JOHN DOE, NURSE	:	
JOHN DOE, NURSE JANE DOE	:	
	:	

**ORDER**

AND NOW, this 7<sup>th</sup> day of June 2023, upon considering Defendants' Memorandum (ECF Doc. No. 36) in support of maintaining limited redactions in its document production purporting to respond to our June 1, 2023 Order (ECF Doc. No. 35), reviewing the unredacted exhibits at Bates stamped Nos. DOC4-162 and 314-422, and mindful of not disclosing information with a security risk (e.g. full names and personal data of officers) and the deliberative process privilege involves confidential deliberations of law or policymaking, reflecting opinions, recommendations or advice such as "give and take of the consultative process, the personal opinions of the agency members in the course of policy formulation rather than the policy [] itself" and facts or recordings of events even in narrative form is not protected from disclosure even if contained in an otherwise privileged document<sup>1</sup>, it is **ORDERED** Defendants' requested redactions are **GRANTED in part** and **DENIED in part** finding Defendants may maintain the requested redactions on identified records produced for our review **except** they shall produce, in connection with their delivery of the video review and the balance of presently available responsive documents on June 8, 2023

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<sup>1</sup> *Redland Soccer Club, Inc. v Dep't of Army of U.S.*, 55 F.3d 827, 853 (3d Cir. 1995); *Walker v. Regan*, No. 13-7556, 2019 WL 687884 \* 2 (E.D.Pa. Feb. 15, 2019).

(and consistent with this Order when later producing documents concerning ongoing investigations), the presently redacted information:

1. DOC-10: redact the officer's name and the Recommendation but may not redact the information after section 34 5D beginning with "Security...";
2. DOC-97 redactions approved except produce the paragraph at the bottom beginning "DIVAR video.... aperture;
3. DOC-98 produce in full other than "BII agr...ings";
4. DOC-102 produce the document in full other than the second and third sentence of the paragraph beginning with "There were seven...", the date of birth at the bottom, and an officer's full name; and,
5. DOC 383-384 produce the recommended charges and recommendations but may continue to redact the full names of the officers.



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KEARNEY, J.